

**Listing of Claims:**

1. (Currently Amended) An image processing apparatus for adjusting a gradation range of an input image, comprising:

photographing condition estimation means for estimating a photographing condition of the input image;

5 selection means for selecting an arrangement of a weight coefficient based on the photographing condition;

characteristic amount calculation means for calculating a characteristic amount with respect to the input image;

histogram generation means for generating a weighting histogram related to the characteristic amount based on the arrangement of the weight coefficient;

gradation conversion curve calculation means for calculating a gradation conversion curve based on the histogram; and

gradation correction conversion means for performing gradation conversion using the gradation conversion curve so as to perform gradation correction on the input image on the basis of the photographing condition to adjust the gradation range to a predetermined gradation range.

2. (Currently Amended) An image processing apparatus according to claim 1, wherein the photographing condition estimation means estimates ~~a~~ the photographing condition based on

5 ~~the basis of~~ at least one ~~piece of information~~ of focal information, photometric information, zoom position information, multi-spot photometric information, line-of-sight input information, and strobe flash information.

3. (Currently Amended) An image processing apparatus according to claim 1, wherein the photographing condition estimation means comprises:

5 focal position estimation means for estimating at least one of three types of focal positions including a scenic photographing operation, a portraiture photographing operation, and a close-up photographing operation from the focal information;

10 object distribution estimation means for estimating at least one of three types of object distributions of an entire screen, a center focus, and a central portion from the photometric information; and

15 integration means for integrally estimating ~~a~~ the photographing condition by combining the at least one focal position estimated by the focal position estimation means and the at least one object distribution estimated by the object distribution estimation means.

Claim 4 (Canceled).

5. (Currently Amended) An image processing apparatus according to claim 1, wherein the gradation correction ~~means~~ ~~adjusts a gradation range by~~ comprises reducing the gradation range.